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1 THE VIDEOGRAPHER: We are going on the

2 record June 28, 2022 for the deposition of Brendan

3 Conlon in a case styled Charlene Carter versus

4 Southwest Airlines Company and Transport Workers

5 Union of America, Local 556, Civil Case

6 3:17-cv-02278-X, in the United States District

7 Court for the Northern District of Texas, Dallas

8 Division. The time is approximately 9:04 a.m.

9 Will counsel state their appearances,

10 locations, and agreements or stipulations for the

11 record. Following will the court reporter please

12 swear in the witness.

13 MR. HILL: Matt Hill and Matt Gilliam

14 for plaintiff, Charlene Carter. We're -- I'm in

15 Rockwall, and Mr. Gilliam is in Virginia.

16 MR. MAMMONE: Joseph Mammone for

17 defendant Southwest Airlines Co. I'm in Dallas,

18 Texas.

19 MR. CLOUTMAN: Ed Cloutman for

20 Transport Workers Union, Local 556. I'm in

21 Dallas.

22 MR. GREENFIELD: And Adam Greenfield

23 for Transport Workers Union, Local 556, and I'm in

24 Dallas as well.

25 (Discussion off the record).

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1 BRENDAN CONLON,

2 having been first duly sworn, testified as

3 follows:

4 EXAMINATION

5 BY MR. HILL:

6 Q. Mr. Conlon, can you introduce yourself for

7 the jury?

8 A. Sure. My name is Brendan Conlon.

9 Q. And what was your position at Southwest in

10 2017?

11 A. In 2017, I was the senior director of crew

12 operations in the inflight department, and in June

13 of that year, I moved over into the labor

14 relations department as a senior director.

15 Q. And what did you do as senior director of

16 labor rel -- labor relations?

17 A. My primary focus was on the negotiation of

18 a new collective bargaining agreement for flight

19 attendants.

20 Q. And had you been involved in the

21 negotiation of collective bargaining agreements

22 even before that transfer to, to labor relations?

23 A. Yes.

24 Q. What had been your role previous to that

25 transfer and the negotiation of the collective

Page 8

1 bargaining agreement?

2 A. I'm sorry, can you restate the question?

3 Q. Before your transfer to la -- labor

4 relations, what was your role in the negotiation

5 of the collective bargaining agreement?

6 A. I was a member of the negotiating team for

7 the company.

8 Q. At some point did you become the chief

9 negotiator for that agreement?

10 A. Yes, when I transitioned to the labor

11 relations department.

12 Q. And so that was in June of 2 -- 2017,

13 right?

14 A. That's correct.

15 Q. I'm going to show you a document that's

16 been marked as Trial Exhibit 6.

17 (Exhibit 6 marked).

18 Q. Do you recognize Trial Exhibit 6?

19 A. Yes, I see flight attendant collective

20 bargaining agreement.

21 Q. And were you one of the negotiators of

22 this agreement?

23 A. Yes.

24 Q. It was in effect from 2013 to 2018, right?

25 A. That's correct.

<p style="text-align: right;">Page 9</p> <p>1 Q. And, in fact, is, is this your signature 2 that appears on this agreement on page 20 -- 229 3 of the document? 4 A. Yes. 5 Q. Now -- 6 MR. CLOUTMAN: Matt, this is Ed. May 7 I interrupt one second? On the collective 8 bargaining termination date, that's the date by 9 which it -- the contract may be open for further 10 negotiations. Under the Railway Labor Act, 11 contracts do not expire, they simply become 12 amended. 13 Q. Now, these names on this list, are these 14 all -- that are all -- that on this signature 15 page, are these all the people that were involved 16 in the negotiation of that agreement? 17 A. There, there may have been a few more 18 expert -- or subject matter experts that, that 19 partook in negotiations, but these were the 20 responsible parties to the agreement. 21 Q. These are the primary negotiators, right? 22 A. Yes. 23 Q. And so among those people that were 24 primarily involved in negotiating this agreement 25 are -- include Naomi Hudson, right?</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. Okay. So you -- how long does negotiation 2 of, of one of these collective bargaining 3 agreements -- or, well, let's talk specifically 4 about this one. How long did the negotiation of 5 this collective bargaining agreement take? 6 A. If I remember correctly, it took several 7 years. 8 Q. And during that time, how often would you, 9 would you meet with the union? 10 A. We'd meet regularly, maybe once a month. 11 It just depends on agreed-upon dates. 12 Q. In addition to that, would you have 13 informal meetings with union leaders? 14 A. Yes. 15 Q. And what would you discuss in those 16 informal meetings? 17 A. It, it depends on what the meeting was 18 about. 19 Q. Among the things that you would discuss 20 are the, the relationship between Southwest and 21 the union, right? 22 A. I don't remember a conversation about the 23 relationship between the two parties, no. 24 Q. You, you did try to maintain a good 25 relationship with the union, right?</p>
<p style="text-align: right;">Page 10</p> <p>1 A. That's correct. 2 Q. It included Sonya Lacore? 3 A. Well, Sonya was the vice president of 4 cabin services. She, she wasn't a regular 5 participant in negotiations. 6 Q. Okay. Would -- it also included Audrey 7 Stone, right? 8 A. Yes. 9 Q. And, and what was Audrey Stone's role? 10 A. She's the president and lead negotiator 11 for TWU Local 556. 12 Q. So she was your counterpart when you were 13 the lead negotiator; is that right? 14 A. Well, I wasn't the lead negotiator for 15 this agreement. 16 Q. Okay. 17 A. Naomi Hudson -- 18 Q. You were involved in negotiating this 19 agreement; is that true? 20 A. I'm hart -- I'm sorry, say again? 21 Q. You were heavily involved in the 22 negotiation of this agreement, right? 23 A. Correct. 24 Q. Was Ms. Hudson the lead negotiator? 25 A. Yes.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Yeah, we always try and maintain a good 2 working relationship with the union, yes. 3 Q. Why is that important? 4 A. Well, for several reasons. I mean, it's 5 always good to have a, a good working 6 relationship. You can get more done by having a 7 good working relationship. 8 Q. And what would you do to cultivate that 9 good working relationship? 10 A. I mean, you would meet, you'd talk, you'd 11 collaborate, you would just try and work through 12 issues. 13 Q. Where there were things that you could do 14 that would, that would advance Southwest and the 15 union's joint goals, you would try and do those 16 things, right? 17 A. I think that depends on what that is. 18 I -- I'd need more context. 19 Q. So part of what you -- what, what you 20 needed to do was develop a good relationship 21 between the negotiators on Southwest's side and 22 the negotiators on the union's side, right? 23 A. Yeah, that's always good to have a, a good 24 relationship. 25 Q. Did you ever have informal dinners or, or</p>

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<p>1 outside-of-work meetings with, with union leaders?</p> <p>2 A. Yeah, we would have dinners with the union</p> <p>3 leaders.</p> <p>4 Q. And Southwest would sponsor those dinners,</p> <p>5 right?</p> <p>6 A. Actually, if I remember correctly, we</p> <p>7 would split the costs.</p> <p>8 Q. Okay. You consider Southwest -- are you a</p> <p>9 union-friendly company?</p> <p>10 A. I do.</p> <p>11 Q. Specifically was the relationship with</p> <p>12 Audrey Stone an important, an important thing to</p> <p>13 have for the -- for Southwest?</p> <p>14 A. Yes, as, as lead negotiator and president</p> <p>15 of Local 556, that, that would be important.</p> <p>16 Q. Because she would be the, the, the tip of</p> <p>17 the spear, let's say, in, in trying to find</p> <p>18 solutions that Southwest and the union could come</p> <p>19 to in, in negotiating their collective bargaining</p> <p>20 agreement, right?</p> <p>21 A. I don't know that I would frame it that</p> <p>22 way because she had a team that she worked with.</p> <p>23 Q. Okay. What's your opinion of Audrey</p> <p>24 Stone?</p> <p>25 A. I don't know that my -- I have an opinion.</p>	<p>1 A. Actually, yes, she was a peer. And there</p> <p>2 was a period of time that I forgot about right</p> <p>3 before Naomi retired that she did report to me.</p> <p>4 Q. Okay. La -- the pur -- the primary</p> <p>5 purpose of labor relations is negotiating with the</p> <p>6 union, right?</p> <p>7 A. That's the primary purpose, yes.</p> <p>8 Q. Is there anything -- other function that</p> <p>9 labor relations has?</p> <p>10 A. Yes. Sometimes -- it wasn't me --</p> <p>11 sometimes trying to find resolutions to</p> <p>12 grievances.</p> <p>13 Q. Anything else?</p> <p>14 A. In my role, and based on my prior</p> <p>15 experience, I would engage in conversations with</p> <p>16 the union about the operation.</p> <p>17 Q. And engage in conversation about the</p> <p>18 operation, what does that mean?</p> <p>19 A. Just how the operation is running and what</p> <p>20 impact, if any, it may have on flight attendants.</p> <p>21 Q. Okay. You wouldn't get involved in</p> <p>22 individual employee complaints; is that right?</p> <p>23 A. No, not me.</p> <p>24 Q. And labor relations generally wouldn't,</p> <p>25 wouldn't, wouldn't get involved in employ -- in,</p>
Page 14	Page 16
<p>1 I haven't thought about it.</p> <p>2 Q. Do you think she was good at her job as</p> <p>3 president?</p> <p>4 A. Again, that's hard to know because I'm not</p> <p>5 a union leader and, I mean, from, from my</p> <p>6 perspective, we worked well together.</p> <p>7 Q. Did you personally get along with her</p> <p>8 well?</p> <p>9 A. I have a good working relationship with</p> <p>10 her.</p> <p>11 Q. You, you like her as a person?</p> <p>12 A. I don't know that I agree or disagree with</p> <p>13 that.</p> <p>14 Q. Did -- okay. So who, who do you report --</p> <p>15 who did you report to once you be -- took over as</p> <p>16 the labor relations manager -- I'm sorry, labor</p> <p>17 relations senior director?</p> <p>18 A. I reported to the president -- or vice --</p> <p>19 I'm sorry, vice president of labor relations,</p> <p>20 Russell McCrady.</p> <p>21 Q. And who reported to you?</p> <p>22 A. I didn't have anybody that reported to me</p> <p>23 in that position.</p> <p>24 Q. Was Naomi Hudson a peer of yours in that</p> <p>25 position?</p>	<p>1 in, in investigating employee complaints, right?</p> <p>2 A. That's correct.</p> <p>3 Q. And that would include labor relations</p> <p>4 wouldn't get involved in anything involving the</p> <p>5 enforcement of the social media policy?</p> <p>6 A. Yeah, I, I was -- I wasn't involved in</p> <p>7 anything in that regard.</p> <p>8 Q. And labor -- not just you, but labor</p> <p>9 relations generally?</p> <p>10 MR. MAMMONE: Objection, calls for a</p> <p>11 hypothetical.</p> <p>12 A. I'm not aware of any involvement from a</p> <p>13 labor relations employee in that.</p> <p>14 Q. My question is a little bit different.</p> <p>15 I'm asking about what the role of labor relations</p> <p>16 should have been, what -- as what the correct</p> <p>17 function of labor relations at Southwest Airlines</p> <p>18 was. If labor relations is doing what it's</p> <p>19 supposed to be doing, it's not investigating the</p> <p>20 social media policy, is it?</p> <p>21 A. Yeah, I don't know. I don't know the</p> <p>22 answer to that.</p> <p>23 Q. And labor relations is also not, not, not</p> <p>24 investigat -- not, not involved in enforcing the</p> <p>25 bullying policy, right?</p>

4 (Pages 13 to 16)

<p style="text-align: right;">Page 17</p> <p>1 A. That would be the same answer. I, I, I</p> <p>2 don't know.</p> <p>3 Q. You don't know?</p> <p>4 A. No.</p> <p>5 Q. You don't know if that's, if that's</p> <p>6 employee relations or labor relations that's</p> <p>7 supposed to do those things?</p> <p>8 A. No, I don't know.</p> <p>9 Q. But you certainly know you had no role in</p> <p>10 them?</p> <p>11 A. That's correct.</p> <p>12 Q. Should you have been doing something?</p> <p>13 MR. MAMMONE: Objection, calls for a</p> <p>14 hypothetical.</p> <p>15 A. Yeah, I don't know. I'd need more</p> <p>16 context.</p> <p>17 Q. No, no, the que -- you don't need context</p> <p>18 at all on this. I'm, I'm simply asking: Is there</p> <p>19 something you should have been doing trying to</p> <p>20 figure out if anybody was violating the social</p> <p>21 media policy at Southwest?</p> <p>22 MR. MAMMONE: Same objection.</p> <p>23 A. Yeah, as I said, I, I would need more</p> <p>24 context on a situation.</p> <p>25 Q. So you don't know what your job was, you</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. MAMMONE: Objection, calls for a</p> <p>2 hypothetical.</p> <p>3 A. Well, the language reads that they shall</p> <p>4 be free to engage in lawful union activities.</p> <p>5 Q. Or refrain from such activities, right?</p> <p>6 A. That's what the language says, yes.</p> <p>7 Q. And so as long as what they're doing is</p> <p>8 lawful, they're free to engage in those acti --</p> <p>9 those union activities, right?</p> <p>10 MR. MAMMONE: Objection, calls for</p> <p>11 speculation.</p> <p>12 A. And the language reads that they're -- all</p> <p>13 employees shall be free to engage in lawful union</p> <p>14 activities or to refrain from such activities.</p> <p>15 Q. Okay. Let's take a look at the scope. It</p> <p>16 says -- I might have to move -- it says, Employees</p> <p>17 covered by this agreement shall being governed by</p> <p>18 all company rules, regulations, and orders</p> <p>19 previously or hereinafter issued by proper</p> <p>20 authorities of the company which are not in</p> <p>21 conflict with the terms and conditions of this</p> <p>22 agreement and which have been made available to</p> <p>23 the affected employees and the union prior to</p> <p>24 becoming effective.</p> <p>25 Do you see that?</p>
<p style="text-align: right;">Page 18</p> <p>1 don't know whether that -- whether it involved</p> <p>2 that or not?</p> <p>3 MR. MAMMONE: Objection,</p> <p>4 argumentative.</p> <p>5 You can answer.</p> <p>6 A. Yeah, I stated what my primary</p> <p>7 responsibilities were.</p> <p>8 Q. Okay. Let's take a quick look at that, at</p> <p>9 that collective bargaining agreement again. It's</p> <p>10 Exhibit 6.</p> <p>11 I've highlighted the nondiscrimination</p> <p>12 policy in that collective bargaining agreement.</p> <p>13 It says, All employees shall be free to engage in</p> <p>14 lawful union activities or to refrain from such</p> <p>15 activities.</p> <p>16 Do you recognize that?</p> <p>17 A. Yes.</p> <p>18 Q. That was part of the collective bargaining</p> <p>19 agreement that, that you were one of the</p> <p>20 signatories that agreed to on behalf of Southwest,</p> <p>21 right?</p> <p>22 A. That's correct.</p> <p>23 Q. And anytime that, that an employee was</p> <p>24 involved in union activities, they were free to do</p> <p>25 that as long as it was lawful, right?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yes, I see it.</p> <p>2 Q. And do you understand that, that when it</p> <p>3 talks about employees covered, covered by this</p> <p>4 agreement, that it includes both union members and</p> <p>5 objectors?</p> <p>6 A. It covers all flight attendants.</p> <p>7 Q. It covers all flight attendants,</p> <p>8 regardless of whether they object to, to the union</p> <p>9 or not, right?</p> <p>10 A. That's correct. I apologize for the</p> <p>11 phone.</p> <p>12 Q. And one thing that it says here is that</p> <p>13 they're, they're all to be governed by company</p> <p>14 rules that are not in conflict with the terms and</p> <p>15 conditions of the agreement, of this agreement,</p> <p>16 right?</p> <p>17 A. That's correct.</p> <p>18 Q. And so they're, they're not to be governed</p> <p>19 by company rules that do conflict with this</p> <p>20 agreement; this agreement trumps, right?</p> <p>21 MR. MAMMONE: Objection, calls for a</p> <p>22 legal conclusion.</p> <p>23 A. The language just says, which are not in</p> <p>24 conflict with the terms and conditions of this</p> <p>25 agreement.</p>

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<p>1 Q. You're, you're one of the signatories of 2 this agreement, right? 3 A. Yes. 4 Q. And, and you knew what you were agreeing 5 to when you signed it, right? 6 A. Yes. This language -- 7 Q. And -- 8 A. -- right here is part of it, yep. 9 Q. Yeah. And when you agreed to it, what you 10 understood is that this collective bargaining 11 agreement is -- controls over other policies of 12 Southwest, right? 13 A. Controls over terms and conditions that 14 may be in conflict with it. 15 Q. Okay. Good. 16 When did you first become aware of the 17 effort to recall Audrey Stone and her team? 18 A. I, I don't remember. 19 Q. You recall that at some point you became 20 aware of that, right? 21 A. Yes, I vaguely remember it. 22 Q. What was your reaction when you became 23 aware of the recall effort? 24 A. I don't think I had a reaction. 25 Q. You had been negotiating with this woman,</p>	<p>1 Q. Did you have any opinion of the recall 2 leaders? 3 A. Don't even know who they, who they are. 4 Q. Do you have any concerns about what would 5 happen if Ms. Stone was replaced by someone else 6 as, at -- as the head nego -- head negotiator for 7 the union? 8 A. No, I would work with whoever is in the 9 lead position for the -- and the team for the 10 union. 11 Q. Well, all things equal, you'd rather work 12 with somebody you've been working with before, 13 right? 14 MR. MAMMONE: Objection, misstates the 15 testimony. 16 You can answer. 17 A. Not necessarily. I don't, don't have an 18 opinion on that. 19 Q. So you, you would be just fine if, if 20 every few months we replaced the lead negotiator 21 and you had to start from scratch with that 22 person; is that your position? 23 A. I would work with whoever is on their 24 negotiating team. 25 Q. Of course you'd work with whoever was</p>
Page 22	Page 24
<p>1 right? 2 A. I'd been negotiating with the TWU 3 Local 556 negotiating team. 4 Q. And, and she had been their lead 5 negotiator, right? 6 A. Yes, she was the lead negotiator. 7 Q. And you've told me you had a good working 8 relationship with her, right? 9 A. That's correct. 10 Q. And yet you had no opinion at all about 11 the fact that the, the union was trying to recall 12 her? 13 A. No, not that I remember. 14 Q. Did you view that as a good thing? 15 A. I don't have an opinion on it. 16 Q. You didn't want her recalled, did you, 17 this person that you had a good relationship with, 18 right? 19 A. Again, I didn't have an opinion on it. 20 Q. So you didn't care one way or another the 21 -- whether this person you had a good relationship 22 with, that you had been negotiating with for a 23 couple of years, continued to -- continued in that 24 role? 25 A. Not that I remember.</p>	<p>1 there, but your preference is to work with the 2 person you have a relationship with, right? 3 A. No, as I stated, I don't, don't have a 4 preference on that. 5 Q. You've already told me that you -- that 6 you've made efforts to try and build that 7 relationship, including going to dinners with the 8 union, right? 9 A. Yeah, I worked on, on having a 10 relationship with, with the entire negotiating 11 team. 12 Q. And that relationship was important? 13 A. Yes, it was important. 14 Q. And yet your testimony, I, I just want to 15 make sure I understand it correctly, is despite 16 that relationship being important, it did not 17 matter to you whether those people you had a 18 relationship were recalled and you had to start 19 entirely new relationships with new people? 20 MR. MAMMONE: Objection, asked and 21 answered. 22 You can answer. 23 A. I believe what I said is I would work with 24 whoever was in that position for the union. 25 Q. You're not answering the question. The</p>



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<p>1 question is: What -- whether you had a</p> <p>2 preference.</p> <p>3 MR. MAMMONE: Same objection.</p> <p>4 A. I believe I stated I didn't have an</p> <p>5 opinion on that.</p> <p>6 Q. Okay. I direct your attention to</p> <p>7 Southwest Exhibit 22 -- I'm sorry, Trial</p> <p>8 Exhibit 22.</p> <p>9 (Exhibit 22 marked).</p> <p>10 Q. And the page I'm gonna show you is</p> <p>11 Page SWA 7464.</p> <p>12 Do you recognize this e-mail?</p> <p>13 A. No, not yet.</p> <p>14 Q. I can scroll down.</p> <p>15 A. Hang on one second.</p> <p>16 Q. Okay.</p> <p>17 A. Okay. I don't, I don't remember it.</p> <p>18 Q. Who is, is -- do you know who Kevin Allen</p> <p>19 is?</p> <p>20 A. Yes.</p> <p>21 Q. Who is Kevin Allen?</p> <p>22 A. He is a member of the labor administration</p> <p>23 team. He's on the -- or was on the company</p> <p>24 negotiating team.</p> <p>25 Q. Okay. Is Juan Suarez also on the company</p>	<p>1 2015?</p> <p>2 A. Yeah, it would be important to understand</p> <p>3 what's happening with the union negotiating team.</p> <p>4 Q. And why is that important?</p> <p>5 A. To understand who we may be negotiating</p> <p>6 with.</p> <p>7 Q. And that's important because you need to</p> <p>8 have a relationship with those people, right?</p> <p>9 A. I believe I, I said it was important to</p> <p>10 have a working relationship, yes.</p> <p>11 Q. And, in fact, around this time Southwest</p> <p>12 had negotiated a collective bargaining agreement</p> <p>13 that was rejected by the flight attendants; is</p> <p>14 that right?</p> <p>15 A. Yeah, we had negotiated a tentative</p> <p>16 agreement.</p> <p>17 Q. A tentative agreement that was subject to</p> <p>18 approval by the, the union membership, right, or</p> <p>19 by the employees that were -- the governing</p> <p>20 employees?</p> <p>21 A. That's correct.</p> <p>22 Q. And, and the employees had, in fact -- oh,</p> <p>23 and let me make -- let me clear up this point.</p> <p>24 The, the person, the lead negotiator with whom you</p> <p>25 had negotiated that tentative agreement for the</p>
Page 26	Page 28
<p>1 negotiating team?</p> <p>2 A. He was back then.</p> <p>3 Q. Okay. Was Naomi Hudson also on the</p> <p>4 negotiating team?</p> <p>5 A. Yes.</p> <p>6 Q. Was Joe Harris on the negotiating team?</p> <p>7 A. Yes.</p> <p>8 Q. Was Patrick Scheirer on the negotiating</p> <p>9 team?</p> <p>10 A. Yes.</p> <p>11 Q. Adam Carlisle?</p> <p>12 A. Yeah, Adam was.</p> <p>13 Q. And Jim Jordan, was he also on the</p> <p>14 negotiating team?</p> <p>15 A. If I remember correctly, Jim was, yep.</p> <p>16 Q. Okay. So, so if I understand correctly,</p> <p>17 the people that, that Kevin Allen, one of the</p> <p>18 negotiating team members, decided to send this</p> <p>19 e-mail to were Naomi Hudson, Brendan Conlon, Juan</p> <p>20 Suarez, Joe Harris, Patrick Scheirer, Adam</p> <p>21 Carlisle, and Jim Jordan, all of whom were on the</p> <p>22 negotiating team, right?</p> <p>23 A. That's correct.</p> <p>24 Q. Would this e-mail have been of any</p> <p>25 importance to you at the time you received it in</p>	<p>1 union was Audrey Stone, right?</p> <p>2 A. That's correct.</p> <p>3 Q. And had you been satisfied with that, had</p> <p>4 -- was Southwest satisfied with that agreement,</p> <p>5 that, that tentative agreement?</p> <p>6 A. Yes.</p> <p>7 Q. Southwest was ready to enter into that</p> <p>8 tentative agreement, right, if the, if the -- if</p> <p>9 it was approved?</p> <p>10 A. Well, we did enter into the tentative</p> <p>11 agreement.</p> <p>12 Q. That's right.</p> <p>13 And you were prepared to be bound by</p> <p>14 it if it was approved, right?</p> <p>15 A. Yes, if it was ratified, yes.</p> <p>16 Q. Yes.</p> <p>17 And, in fact, it wasn't ratified,</p> <p>18 right?</p> <p>19 A. That's correct.</p> <p>20 Q. In fact, it was rejected by 87 percent of</p> <p>21 the flight attendants; is that right?</p> <p>22 A. I don't remember the percentage.</p> <p>23 Q. So the negotiation, the negotiation team</p> <p>24 that had negotiated this agr -- this tentative</p> <p>25 agreement with you that was rejected by the flight</p>

7 (Pages 25 to 28)

<p style="text-align: right;">Page 29</p> <p>1 attendants was now in danger of recall; is that 2 right? 3 A. I believe so. 4 Q. And when the flight attendants rejected 5 that tentative agreement, did you expect that the 6 eventual agreement that, that the flight 7 attendants might ratify would not be as favorable 8 as the one you previously reached? 9 A. Well, we would have -- we needed to go 10 back to the negotiating table to figure that out. 11 Q. Right. So you, you had to go back to the 12 negotiating table, and the union would be asking 13 for at least different things than it asked for 14 before; is that right? 15 A. Possibly. 16 Q. And, and now you're looking at a change in 17 the -- at a possible change in the leadership at 18 of the union; is that what you understood from 19 this e-mail? 20 A. If there was a recall, that could happen. 21 Q. And would you view that as a good thing or 22 a bad thing? 23 A. Something we would have to work through. 24 Q. It was gonna require more work if, if 25 there was a recall; is that right?</p>	<p style="text-align: right;">Page 31</p> <p>1 A. I'm sorry, can you restate the question, 2 do I remember? 3 Q. Did you ever learn. 4 MR. MAMMONE: Objection, vague as to 5 time. 6 You can answer. 7 A. Yeah, I, I don't remember. 8 Q. Well, you've certainly learned about it as 9 of today, right? 10 A. Learned of what? A -- 11 Q. A complaint made by Audrey Stone about 12 Charlene Carter. 13 A. What I do know is what you're telling me. 14 That's all I know. 15 Q. You -- you've never, before this 16 conversation that we're having right now during 17 this deposition, heard that there was a complaint 18 made by Audrey Stone about Charlene Carter? 19 A. Not that I remember. 20 Q. Do you know who Charlene Carter is? 21 A. I know the name. That's it. I've never 22 met Charlene. 23 Q. Do you know that she's a former Southwest 24 Airlines employee? 25 A. I do know that.</p>
<p style="text-align: right;">Page 30</p> <p>1 MR. MAMMONE: Objection, it calls -- 2 hypothetical. 3 Q. You can answer. 4 A. It, it would require forming relationships 5 again and then working with whoever was in that 6 position. 7 Q. Starting from scratch, right? 8 MR. MAMMONE: Same objection. 9 You can answer. 10 A. I think some of that depends on would 11 there be any members left or -- it, it just really 12 depends. 13 Q. Did you ever have any discussions about 14 the social media policy with the union? 15 A. Not that I remember. 16 Q. Did you ever have any discussions about 17 the bullying policy with the union? 18 A. Not that I remember. 19 Q. Did -- do you recall any discussions of 20 individual violations of either of those policies 21 with the union? 22 A. No. 23 Q. Let's see. Did you ever learn about a 24 complaint that was made by Audrey Stone about 25 Charlene Carter?</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Do you know that she was terminated? 2 A. Yes, I do know that. 3 Q. Do you know that she filed a lawsuit 4 against Southwest Airlines and Local 556? 5 A. I didn't know about Local 556, but I know 6 about the one against the company. 7 Q. You're aware that you're testifying in 8 that lawsuit, and that's why we're on this Zoom 9 call right now, right? 10 A. Yes. 11 Q. So have you ever learned why she was 12 terminated? 13 A. No, I can't say that I have. 14 Q. Okay. Let me show you a document. Well, 15 first of all, before I show you the document, let 16 me ask you this. There are certain e-mail 17 addresses at Southwest Airlines that go to 18 multiple employees; is that right? 19 A. There are distribution groups. 20 Q. Right. 21 Is one of those distribution groups 22 the inflight labor relations mailbox? 23 A. I don't know. 24 Q. Do you know if you are included in the 25 inflight labor relations mailbox?</p>



Page 33	Page 35
<p>1 A. I don't know.</p> <p>2 Q. I am going to show you a document that has</p> <p>3 been marked as Exhibit 21, hopefully.</p> <p>4 (Exhibit 21 marked).</p> <p>5 Q. Who is Maureen Emlet?</p> <p>6 A. Maureen Emlet is a retired Southwest</p> <p>7 Airlines employee.</p> <p>8 Q. Okay. So I'm showing you a document</p> <p>9 that's been marked as, as Trial Exhibit 21. And</p> <p>10 this is Page SWA006351. Do you recognize this</p> <p>11 e-mail?</p> <p>12 A. No.</p> <p>13 Q. Do you believe you ever received this</p> <p>14 e-mail?</p> <p>15 A. No.</p> <p>16 Q. Have you ever received e-mails such as</p> <p>17 this about individual flight attendant comments</p> <p>18 made on social media?</p> <p>19 A. Not that I remember.</p> <p>20 Q. If someone said, said that you'd</p> <p>21 discrim -- that, that, that they'd been</p> <p>22 discriminated against because of their religion,</p> <p>23 what would you tell them to do?</p> <p>24 MR. MAMMONE: Objection, calls for a</p> <p>25 hypothetical.</p>	<p>1 Q. And -- but la -- and, and, and labor</p> <p>2 relations shouldn't have any role in that, right?</p> <p>3 MR. MAMMONE: Same objection.</p> <p>4 A. Yeah, I don't know. I, I think it</p> <p>5 depends.</p> <p>6 Q. What did you do to prepare for this</p> <p>7 deposition?</p> <p>8 A. I didn't do anything.</p> <p>9 Q. Did you meet with anyone?</p> <p>10 A. I met with Joey and Chris.</p> <p>11 Q. Joey is Mr. Ma -- Mammone?</p> <p>12 A. That's correct.</p> <p>13 Q. And who is Chris, Maberry?</p> <p>14 A. Chris Maberry.</p> <p>15 Q. Okay. And he's Southwest's in-house</p> <p>16 counsel?</p> <p>17 A. That's correct.</p> <p>18 Q. Is that right?</p> <p>19 MR. MAMMONE: Object to form.</p> <p>20 Q. What -- did you review any documents?</p> <p>21 A. No.</p> <p>22 Q. Okay. What's your home address?</p> <p>23 A. 720 Moss Glen Drive, Prosper, Texas 75078.</p> <p>24 Q. We're going to trial in this case next</p> <p>25 week. Are you going to be in town for trial?</p>
Page 34	Page 36
<p>1 You can answer.</p> <p>2 A. I would refer them to employee relations.</p> <p>3 Q. Employee relations is who you would, you</p> <p>4 would refer them to, right? Not, not, not anyone</p> <p>5 else?</p> <p>6 MR. MAMMONE: Same objection.</p> <p>7 A. Yeah, I would refer them to employee</p> <p>8 relations.</p> <p>9 Q. Do you know what the accommodations in</p> <p>10 career transition team is?</p> <p>11 A. I've heard of it, but I don't know exactly</p> <p>12 what they do.</p> <p>13 Q. And so if someone complained to you that</p> <p>14 they've discriminated against because of their</p> <p>15 religion, you would not send them to that team; is</p> <p>16 that right?</p> <p>17 MR. MAMMONE: Objection, calls for a</p> <p>18 hypothetical.</p> <p>19 A. Yeah, I would send them to employee</p> <p>20 relations.</p> <p>21 Q. And you certainly wouldn't send them to</p> <p>22 labor relations, right?</p> <p>23 MR. MAMMONE: Objection, calls for a</p> <p>24 hypothetical.</p> <p>25 A. I would refer them to employee relations.</p>	<p>1 A. No, I'm not.</p> <p>2 Q. Where are you gonna be?</p> <p>3 A. I'm gonna be in Jamaica.</p> <p>4 Q. And when do you leave for Jamaica?</p> <p>5 A. I leave on Friday.</p> <p>6 Q. And when do you return?</p> <p>7 A. On the 8th of July.</p> <p>8 Q. Would you be available to testify after</p> <p>9 the 8th of July?</p> <p>10 A. Possibly.</p> <p>11 Q. There -- there's no conflict that you're</p> <p>12 aware of after that time?</p> <p>13 A. No personal conflict of -- I may have work</p> <p>14 conflicts.</p> <p>15 Q. But you're not aware of any, sitting here</p> <p>16 right now?</p> <p>17 A. I mean, my calendar is full for that</p> <p>18 following week beginning the 11th of July.</p> <p>19 Q. With your normal meetings, right?</p> <p>20 A. Yes, with work meetings.</p> <p>21 MR. HILL: Let's take a short break,</p> <p>22 and then I'm gonna come back and hope to wrap this</p> <p>23 up quick.</p> <p>24 THE VIDEOGRAPHER: Going off the</p> <p>25 record at 9:43.</p>

Brendan Conlon

Page 37	Page 39
<p>1 (Recess).</p> <p>2 THE VIDEOGRAPHER: We are back on the</p> <p>3 record with Clip 2 at 9:51.</p> <p>4 MR. HILL: Is Lisa back?</p> <p>5 THE VIDEOGRAPHER: Oh, did you not</p> <p>6 hear me go back on the record?</p> <p>7 THE REPORTER: I did, Lisa.</p> <p>8 THE VIDEOGRAPHER: Oh, okay. I have</p> <p>9 us back on the record with Clip 2 at 9:51.</p> <p>10 Q. I'm gonna share another document with you.</p> <p>11 This is also a part of Exhibit 21 that we looked</p> <p>12 at earlier. But it's a different e-mail.</p> <p>13 Do you recognize -- so this is</p> <p>14 Exhibit 21, Page 6551. Do you recognize this</p> <p>15 e-mail, Mr. Conlon?</p> <p>16 A. No, I don't remember it.</p> <p>17 Q. Is that your e-mail -- I'm sorry, is that</p> <p>18 your name in the cc?</p> <p>19 A. Yes.</p> <p>20 Q. And a number of these names that are in</p> <p>21 the To are a part of that negotiating team that</p> <p>22 we, that we identified before, aren't they?</p> <p>23 A. I'm sorry, could you say again? In the To</p> <p>24 field?</p> <p>25 Q. A num -- yeah, a number of the names that</p>	<p>1 leadership and, and its membership one of the</p> <p>2 reasons that the, that the collective -- that the</p> <p>3 tentative collective bargaining agreement wasn't</p> <p>4 approved?</p> <p>5 MR. MAMMONE: Objection, calls for</p> <p>6 speculation.</p> <p>7 A. Yeah, I don't know.</p> <p>8 Q. Did you feel like that after it wasn't</p> <p>9 approved that there was more discord between the,</p> <p>10 the membership and the, and the union leadership?</p> <p>11 A. No, I don't know.</p> <p>12 Q. Okay. So when -- well, let me ask you</p> <p>13 this, first of all. We took a break a minute ago.</p> <p>14 Did you talk to anyone during the break?</p> <p>15 A. I talked to Joey Mammone.</p> <p>16 Q. You talked to Sou -- Southwest's lawyer.</p> <p>17 And what did you say to Mr. Mammone?</p> <p>18 MR. MAMMONE: Objection, pri -- calls</p> <p>19 for pri -- privileged communications.</p> <p>20 Do not answer.</p> <p>21 MR. HILL: That's not privileged under</p> <p>22 Hall during a deposition.</p> <p>23 Q. And did he say anything to you?</p> <p>24 MR. MAMMONE: Objection, calls for</p> <p>25 privileged communications.</p>
Page 38	Page 40
<p>1 are in the To are a part of that negotiating team;</p> <p>2 is that right?</p> <p>3 A. That's correct.</p> <p>4 Q. Now, this e-mail says that -- informs you</p> <p>5 that there are pickets that are going on at the</p> <p>6 union office the following day having posters that</p> <p>7 say Audrey Must Go and Missing.</p> <p>8 Did this e-mail have any significance</p> <p>9 to you?</p> <p>10 A. Not that I remember.</p> <p>11 Q. The fact that there were people picketing</p> <p>12 the union leader, the union president, did that</p> <p>13 affect your job at -- in labor relations?</p> <p>14 MR. MAMMONE: Objection, calls for a</p> <p>15 hypothetical.</p> <p>16 You can answer.</p> <p>17 A. Picketing, I mean, picketing didn't affect</p> <p>18 my job.</p> <p>19 Q. Discord between the union leadership and</p> <p>20 the membership didn't affect your job?</p> <p>21 MR. MAMMONE: Objection, calls for a</p> <p>22 hypothetical.</p> <p>23 You can answer.</p> <p>24 A. No, I don't think so.</p> <p>25 Q. The -- was discord between the union</p>	<p>1 Do not answer.</p> <p>2 Q. When there's a recall -- I'm sorry, when</p> <p>3 there was a recall, did that affect Southwest</p> <p>4 financially at all?</p> <p>5 MR. MAMMONE: Objection, calls for</p> <p>6 speculation. Incomplete hypothetical.</p> <p>7 You may answer.</p> <p>8 A. I don't know.</p> <p>9 Q. When the contract was rejected, did --</p> <p>10 and, and you had to go back and renegotiate the</p> <p>11 collective bargaining agreement, did that affect</p> <p>12 Southwest financially at all?</p> <p>13 MR. MAMMONE: Same objection.</p> <p>14 A. I don't know.</p> <p>15 Q. Did Southwest end up giving a more</p> <p>16 favorable collective bargaining agreement to the</p> <p>17 union after the tentative one was rejected?</p> <p>18 MR. MAMMONE: Objection, vague.</p> <p>19 A. I don't think so.</p> <p>20 Q. Was it eventually approved?</p> <p>21 A. A second TA was approved.</p> <p>22 Q. A second TA, tentative agreement, is that</p> <p>23 what we're -- is that what TA means?</p> <p>24 A. That's correct.</p> <p>25 Q. Okay. So you -- so after the first</p>

10 (Pages 37 to 40)

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<p style="text-align: right;">Page 41</p> <p>1 tentative agreement was rejected, you went back 2 and you renegotiated and you put different terms 3 into a new tentative agreement; is that right? 4 A. That's correct. 5 Q. And a -- and after the 87/13 rejection of 6 the first one, what happened with the second one? 7 A. It was ratified. 8 Q. Do you recall what the vote was? 9 A. No. 10 Q. And, and, and is your contention there was 11 nothing more favorable about that second tentative 12 agreement for the flight attendants than what was 13 in the first one that they rejected? 14 MR. MAMMONE: Objection, vague. 15 A. Yeah, I don't remember all the specific 16 terms. 17 Q. Do you remember it -- whether there were 18 any specific terms that were more favorable for 19 the flight attendants? 20 MR. MAMMONE: Same objection. 21 A. Off the top of my head, I, I don't. 22 Q. So is it your contention that the flight 23 attendants rejected the first one and then 24 approved the second one, and, and you don't have 25 any good reason to figure out why there might have</p>	<p style="text-align: right;">Page 43</p> <p>1 operations, right? 2 A. That's correct. 3 MR. MAMMONE: Objection, vague. 4 Q. Now, this -- 5 THE REPORTER: I'm sorry, what was 6 that? 7 Q. This is Trial Exhibit 139. 8 THE REPORTER: I'm sorry, no. 9 Mr. Mammone, what did you say? 10 MR. MAMMONE: Objection, vague. 11 THE REPORTER: Thank you. 12 Q. Yeah, the -- this, this, this is the 13 annual report for 2021 for Southwest. And it says 14 that they had a net profit of 977 million. Is 15 that consistent with your understanding of how 16 much net profit Southwest made in, in 2021, in, in 17 the year 2021? 18 A. I have no idea. 19 Q. Okay. 20 MR. HILL: Okay. I don't have 21 anything further. 22 MR. MAMMONE: We have no questions for 23 the witness. Southwest has no questions for the 24 witness. 25 MR. GREENFIELD: The union has a few</p>
<p style="text-align: right;">Page 42</p> <p>1 been a difference in their, in their views on 2 those things? 3 A. Well, they preferred the second one 4 because they ratified it. 5 Q. The, the -- oh, they -- I'm sorry, I, I 6 missed your answer there. They preferred the 7 second one because they ratified it, right, is 8 what -- is that -- did I understand you to say 9 that correctly? 10 A. Correct. That's what I said. 11 Q. Okay. And so what you're telling me is 12 that, at least in their view, there were some 13 terms that were more favorable to them than the 14 previous agreement? 15 MR. MAMMONE: Objection, asked and 16 answered. 17 A. Not necessarily. 18 Q. I'm gonna show you a document that's been 19 labeled as Trial Exhibit 138. 20 (Exhibit 138 marked). 21 Q. Do you ever look at Southwest's securities 22 filings? 23 A. Not regularly. 24 Q. But you're, you're aware of Southwest's 25 general performance in terms of its operating --</p>	<p style="text-align: right;">Page 44</p> <p>1 brief questions. 2 EXAMINATION 3 BY MR. GREENFIELD: 4 Q. Are you ready to proceed? 5 MR. HILL: I am. 6 Q. Okay. Mr. Conlon, can you hear me? 7 A. Yeah, I've got you, Adam. 8 Q. Oh, okay. My name is Adam Greenfield, and 9 I'm one of the attorneys here on behalf of the 10 union. 11 Do you understand who I am and whom I 12 represent? 13 A. Yes, I do. 14 Q. Okay. To give you a little bit of 15 background on this case, Charlene Carter is 16 alleging that in this lawsuit that the company and 17 the union worked together to get her fired. Do 18 you understand that? 19 A. I understand what you just told me. 20 Q. Okay. Very good. 21 Did you personally ever work with 22 anyone at the union to get Ms. Carter fired? 23 A. No. 24 Q. Are you aware of anyone at Southwest 25 Airlines that worked with the union to get</p>

Page 45	Page 47
<p>1 Ms. Carter fired?</p> <p>2 A. No.</p> <p>3 Q. Okay. I'd like to briefly discuss the</p> <p>4 collective bargaining negotiations that were</p> <p>5 mentioned earlier. Is that all right?</p> <p>6 A. Sure.</p> <p>7 Q. Okay. During negotiations is it fair to</p> <p>8 say that Southwest Airlines was trying to get the</p> <p>9 best deal it could for the company; is that</p> <p>10 correct?</p> <p>11 A. That's correct.</p> <p>12 Q. And fair to say that the union was trying</p> <p>13 to negotiate the best deal they could do for their</p> <p>14 constituents; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. And were those negotiations ever</p> <p>17 contentious?</p> <p>18 A. There were moments.</p> <p>19 Q. Moments of conflict?</p> <p>20 A. Disagreement.</p> <p>21 Q. Disagreement?</p> <p>22 Do you ever remember anyone raising</p> <p>23 their voices or yelling during those negotiations?</p> <p>24 A. Not specifically.</p> <p>25 Q. Okay. And if I remember correctly, you</p>	<p>1 THE REPORTER: And does anyone want to</p> <p>2 purchase a copy?</p> <p>3 MR. GREENFIELD: Yes, please.</p> <p>4 MR. CLOUTMAN: The union does. One</p> <p>5 condensed copy.</p> <p>6 MR. MAMMONE: Southwest will take a</p> <p>7 copy as well.</p> <p>8 THE REPORTER: All right. Thanks,</p> <p>9 everyone.</p> <p>10 (Deposition concluded at 10:02 a.m.)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 46	Page 48
<p>1 stated you didn't have an opinion on who was the</p> <p>2 union's negotiating team, correct, or who was on</p> <p>3 the team?</p> <p>4 MR. HILL: Objection, form.</p> <p>5 A. That's correct. I would work with whoever</p> <p>6 represented the union.</p> <p>7 Q. Basically you needed to just play within</p> <p>8 the rules of the game; whoever was over there, you</p> <p>9 were going to negotiate the best deal you could</p> <p>10 for the company, correct?</p> <p>11 A. That's correct.</p> <p>12 MR. HILL: Objection, leading.</p> <p>13 MR. GREENFIELD: All right. That's</p> <p>14 it. I have no more questions. And I'll, and I'll</p> <p>15 reserve --</p> <p>16 MR. HILL: I don't have anything</p> <p>17 further.</p> <p>18 MR. GREENFIELD: -- the rest for</p> <p>19 trial.</p> <p>20 THE VIDEOGRAPHER: We're going off the</p> <p>21 record at 10:02.</p> <p>22 THE REPORTER: Okay. Signature?</p> <p>23 Mr. Mammone?</p> <p>24 MR. MAMMONE: We'll reserve the right</p> <p>25 for Mr. Conlon to review and sign.</p>	<p>1 CHANGES AND SIGNATURE</p> <p>2 WITNESS NAME: BRENDAN CONLON DATE: JUNE 28, 2022</p> <p>3 PAGELINE CHANGE REASON</p> <p>4 _____</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 _____</p> <p>25 _____</p>

12 (Pages 45 to 48)

Page 49

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 I, BRENDAN CONLON, have read the foregoing  
4 deposition and hereby affix my signature that same  
5 is true and correct, except as noted above.  
6  
7  
8  
9  
10 \_\_\_\_\_  
11 BRENDAN CONLON  
12  
13  
14 THE STATE OF \_\_\_\_\_  
15 COUNTY OF \_\_\_\_\_  
16  
17 Before me, \_\_\_\_\_, on  
18 this day personally appeared BRENDAN CONLON, known  
19 to me (or proved to me under oath or through  
20 \_\_\_\_\_) (description of  
21 identity card or other document)) to be the person  
22 whose name is subscribed to the foregoing  
23 instrument and acknowledged to me that they  
24 executed the same for the purposes and  
25 consideration therein expressed.

Page 50

1 Given under my hand and seal of office  
2 this \_\_\_\_\_ day of \_\_\_\_\_,  
3 \_\_\_\_\_.  
4  
5  
6  
7 NOTARY PUBLIC IN AND FOR  
8 THE STATE OF \_\_\_\_\_  
9 COMMISSION EXPIRES: \_\_\_\_\_  
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Page 51

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF TEXAS  
3 DALLAS DIVISION  
4 CHARLENE CARTER, )  
5 )  
6 Plaintiff, )  
7 )  
8 VS. ) CIVIL ACTION  
9 )  
10 ) NO.: 3:17-cv-02278-X  
11 SOUTHWEST AIRLINES CO., )  
12 TRANSPORT WORKERS UNION )  
13 OF AMERICA, LOCAL 556, )  
14 )  
15 Defendants. )  
16  
17 REPORTER'S CERTIFICATION  
18 DEPOSITION OF BRENDAN CONLON  
19 JUNE 28, 2022  
20  
21 I, Melody A. Monk, Certified Shorthand  
22 Reporter in and for the State of Texas, hereby  
23 certify to the following:  
24 That the witness, BRENDAN CONLON, was duly  
25 sworn by the officer and that the transcript of  
the oral deposition is a true record of the  
testimony given by the witness;  
That the deposition transcript was submitted  
on July 1, 2022 to the witness or to the attorney  
for the witness for examination, signature and  
return to me by August 1, 2022;  
That the amount of time used by each party at

Page 52

1 the deposition is as follows:  
2 MATTHEW D. HILL.....00 HOUR(S):54 MINUTE(S)  
3 ADAM S. GREENFIELD.....00 HOUR(S):03 MINUTE(S)  
4  
5 That pursuant to information given to the  
6 deposition officer at the time said testimony was  
7 taken, the following includes counsel for all  
8 parties of record:  
9 FOR THE PLAINTIFF:  
10 MATTHEW D. HILL  
11 Pryor & Bruce  
12 302 North San Jacinto  
13 Rockwall, Texas 75087  
14 972.771.3933  
15 Mhill@pryorandbruce.com  
16  
17 MATTHEW B. GILLIAM  
18 National Right to Work Legal Defense  
19 Foundation, Inc.  
20 8001 Braddock Road, Suite 600  
21 Springfield, Virginia 22160  
22 703.321.8510  
23 Mbg@nrtw.org  
24  
25 FOR THE DEFENDANT SOUTHWEST AIRLINES CO.:  
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Reed Smith  
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14 That \$\_\_\_\_\_ is the deposition officer's  
15 charges to the Plaintiff for preparing the  
16 original deposition transcript and any copies of  
17 exhibits;

18 I further certify that I am neither counsel  
19 for, related to, nor employed by any of the  
20 parties or attorneys in the action in which this  
21 proceeding was taken, and further that I am not  
22 financially or otherwise interested in the outcome  
23 of the action.

24 Certified to by me this 29th day of June,  
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